



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/533,560

05/20/2005

Gebhard Zobl

SB-514

4363

24131 7590 12/03/2008
LERNER GREENBERG STEMER LLP
P O BOX 2480
HOLLYWOOD, FL 33022-2480

EXAMINER

KEMMERLE III, RUSSELL J

ART UNIT

PAPER NUMBER

1791

MAIL DATE

DELIVERY MODE

12/03/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: GEBHARD ZOBL, WOLFGANG GLATZ,
WOLFGANG KRAUSSLER and ROBERT OBERBREYER

Application No. 10/533,560
Technology Center 1700

Mailed: December 3, 2008

Before VASCO S. HARPER, *Paralegal Specialist*
HARPER, *Paralegal Specialist*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on September 30, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

REQUEST FOR CONTINUED EXAMINATION (RCE),
AMENDMENT & 1.132 DECLARATION

Appellant(s) filed a Request for Continued Examination (RCE) on August 7, 2008. The RCE was accompanied by an amendment which included amendments to the claims, a Rule 1.132 Declaration and other documents. There is no indication on the record that the Examiner has considered the RCE. (Note: if the RCE and all of the accompanying documents is entered, a corrected Evidence Appendix and a corrected Claims Appendix will have to be made of record to the file, either by the Examiner or the Appellants).

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner to:

- 1) consider the RCE filed August 7, 2008 as required; and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

LERNER GREENBERG STEMER LLP
P O BOX 2480
HOLLYWOOD FL 33022-2480